FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6243 OF 2005

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. S.S. Patwardhan for petitioner.
Mr. S.B. Deshmukh for respondent no.1.

CORAM: B.H. MARLAPALLE,J.

28/06/2007.

P.C.:

. RCS No.253 of 1995 was decreed by the learned Joint Civil Judge, J.D. Satara by judgment and order dated 28/1/2002. Being aggrieved by the said decree, defendants filed Reg. Civil Appeal No. 82 of 2002 before the District Court at Satara. The said Appeal was dismissed by the lower Appellate Court vide its judgment and order dated 16/4/2005.

. The petitioners, therefore, have a statutory remedy of filing a Civil Revision Application under Section 115 of C.P.C. and as held by me in Writ Petition No. 4138 of 2006

vide the order dated 24/8/2006. When such a statutory remedy is available, a Writ Petition under Article 227 of the Constitution need not be entertained.

. Hence, the Writ Petition is disposed as withdrawn with liberty to the petitioners to file a Civil Revision Application and if such an application is filed within a period of four weeks from today, the period of pendency of this petition will be taken into consideration for condonation of delay, if any. Annexures be returned, if applied for. Ad-interim relief granted earlier to continue for four weeks from today.

(B.H. Marlapalle,J.)